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# FINAL TEXT OF A TREATY ON AN AFRICAN NUCLEAR-WEAPON-FREE ZONE

Report of the First Committee

Rapporteur: Mr. Rajab SUKAYRI (Jordan)

## I. INTRODUCTION

1. The item entitled "Final text of a treaty on an African nuclear-weapon-free zone" was included in the provisional agenda of the fiftieth session of the General Assembly in accordance with Assembly resolution 49/138 of 19 December 1994.

2. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 12 October 1995, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 57 to 78, 80 and 81. The deliberations on those items took place at the 3rd to 11th meetings, from 16 to 20 and on 25 and 26 October 1995 (see A/C.1/50/PV.3-11). Structured discussions of specific subjects within the adopted thematic approach were held from 30 October to 3 November. Consideration of draft resolutions on the items took place at the 13th to 17th meetings, from 6 to 9 November (see A/C.1/50/PV.13-17). Action on the draft resolutions was taken at the 18th to 29th meetings, on 10, 13 to 17, 20 and 21 November (see A/C.1/50/PV.18-29).

4. In connection with item 78, the First Committee had before it a note of the Secretary-General on the final text of the Treaty on an African Nuclear-Weapon-Free Zone (A/50/426).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/50/L.23 AND Rev.1

5. At the 16th meeting, on 8 November, South Africa, on behalf of the members of the Group of African States, introduced a draft resolution entitled "Final text of the African Nuclear-Weapon-Free Zone Treaty (the Pelindaba Treaty)" (A/C.1/50/L.23), which was later also sponsored by the Marshall Islands.

6. On 15 November, the sponsors of the draft resolution submitted a revised draft resolution (A/C.1/50/L.23/Rev.1), which contained the following change: operative paragraph 7, which had read:

> "Requests the Secretary-General, within existing resources, to extend to the African States in 1996 such facilities and assistance as may be requested, in order to achieve the aims of the present resolution",

was revised to read:

> "Requests the Secretary-General, within existing resources, to extend assistance to the African States in 1996 in order to achieve the aims of the present resolution."

7. At its 28th meeting, on 20 November, the Committee adopted draft resolution A/C.1/50/L.23/Rev.1 without a vote (see para. 8).

## III. RECOMMENDATION OF THE FIRST COMMITTEE

8. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

### Final text of the African Nuclear-Weapon-Free Zone Treaty (the Pelindaba Treaty)

The General Assembly,

Bearing in mind the Declaration on the Denuclearization of Africa 1/ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964, in which they solemnly declare their readiness to undertake, through an international agreement to be concluded under United Nations auspices, not to manufacture or acquire control of atomic weapons,

Recalling its resolution 2033 (XX) of 3 December 1965, in which it endorsed the above-mentioned Declaration and expressed the hope that the African States would initiate studies, as they deemed appropriate, with a view to implementing the denuclearization of Africa and take the necessary measures, through the Organization of African Unity, to achieve that end,

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1/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

Recalling also article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, 2/ which acknowledges the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories,

Bearing in mind paragraph 60 of the Final Document of the Tenth Special Session of the General Assembly, 3/ the first special session devoted to disarmament, which states that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned constitutes an important disarmament measure,

Bearing in mind also the provisions of resolution CM/Res.1592 (LXII/Rev.1) 4/ on the implementation of the Treaty declaring Africa a nuclear-weapon-free zone, adopted by the Council of Ministers of the Organization of African Unity at its sixty-second ordinary session, held at Addis Ababa from 21 to 23 June 1995,

Noting the adoption by the Heads of State and Government of the Organization of African Unity at their thirty-first ordinary session, held at Addis Ababa from 24 to 28 June 1995, of the African Nuclear-Weapon-Free-Zone Treaty (the Pelindaba Treaty),

Noting also that the Treaty contains three Protocols open to the signature of States that, de jure or de facto, are internationally responsible for territories that lie within the limits of the geographical zone established in the Pelindaba Treaty and to the signature of States possessing nuclear weapons, and convinced that the cooperation of such States is necessary for the greater effectiveness of the Treaty,

Recognizing that the establishment of nuclear-weapon-free zones contributes to the strengthening of the international non-proliferation regime,

Considering that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and the viability of the African nuclear-weapon-free zone,

1. Welcomes with special satisfaction the adoption by the African leaders of the final text of the African Nuclear-Weapon-Free-Zone Treaty (the Pelindaba Treaty), which constitutes an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security and which, at the same time, recognizes the right of African countries to use nuclear energy for peaceful purposes in order to accelerate the economic and social development of their peoples;

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2/ Resolution 2373 (XXII), annex.

3/ Resolution S-10/2.

4/ A/50/647, annex.

2. Invites the African States to sign and ratify the Pelindaba Treaty as soon as possible;

3. Calls upon all States to respect the continent of Africa as a nuclear-weapon-free zone;

4. Calls upon the States contemplated in Protocol III to the Pelindaba Treaty to take all necessary measures to ensure the speedy application of the Treaty to territories for which they are, de jure or de facto, internationally responsible and which lie within the limits of the geographical zone established in the Treaty;

5. Calls upon the nuclear-weapon States to bring the necessary support to the Pelindaba Treaty by signing the Protocols that concern them as soon as the Treaty becomes available for signature;

6. Expresses its profound gratitude to the Secretary-General for the diligence with which he has rendered effective technical advice and financial assistance to the Organization of African Unity towards the six meetings of the Group of Experts to Prepare a Draft Treaty on an African Nuclear-Weapon-Free Zone, set up jointly by the Organization of African Unity and the United Nations;

7. Requests the Secretary-General, within existing resources, to extend assistance to the African States in 1996 in order to achieve the aims of the present resolution;

8. Decides to include in the provisional agenda of its fifty-first session an item entitled "African Nuclear-Weapon-Free Zone Treaty".

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